

Appl. No. 09/655,232
Response dated March 1, 2005
Reply to Office Action of December 28, 2004

REMARKS

Applicant has received and carefully reviewed the Office Action mailed on December 28, 2004. Favorable reconsideration is respectfully requested in light of the following comments. Applicant appreciates the Examiner withdrawing the finality of the previous Office Action.

Applicant respectfully traverses the Examiner's rejection of claims 6, 18 and 27 under 35 U.S.C. §102(b) as anticipated by Myler, U.S. Patent No. 5,632,762. Applicant notes that Myler issued on May 27, 1997. The present application is a continuation of 08/432,318, which was filed on May 1, 1995. Consequently, the present application has an effective U.S. filing date that is at least as early as May 1, 1995. As this predates the issuance of the cited reference, Myler is not available as prior art under 35 U.S.C. §102(b). Moreover, as Myler has a filing date of November 9, 1995, the reference does not appear to be available as prior art under either 35 U.S.C. §102(a) or 102(e). Thus, Myler is not available as prior art against the present invention.

Applicant does not concede the correctness of the rejection. Favorable reconsideration is respectfully requested. Moreover, Applicant notes that the May 1, 1995 filing is itself a continuation-in-part of an even earlier filing and thus at least portions of the present invention may be entitled to an effective filing date of February 22, 1994.

Applicant respectfully traverses the Examiner's rejection of claims 7-9, 12-17, 19-21, 24-26 and 28-42 under 35 U.S.C. §103(a) as unpatentable over Myler, U.S. Patent No. 5,632,762, in view of Ishida et al., U.S. Patent No. 5,002,556, and Becker et al., U.S. Patent No. 5,021,043. As noted above, Myler is unavailable as prior art, and thus the rejection is flawed and must be withdrawn. Applicant does not concede the correctness of the rejection. Favorable reconsideration is respectfully requested.

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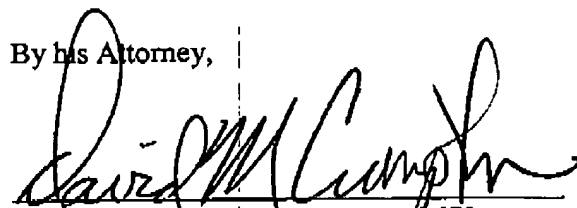
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Stewart M. Kume

By his Attorney,

Date: 3/1/05



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